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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,595	04/18/2005	Rene Gumbau	0518-1145	3673
466	7590	12/23/2005		
YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			EXAMINER VOGELBACKER, MARK T	
			ART UNIT 3677	PAPER NUMBER

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/531,595	<b>Applicant(s)</b> GUMBAU, RENE	
	<b>Examiner</b> Mark T. Vogelbacker	<b>Art Unit</b> 3677	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 7-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/18/2005</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Objections*

1. Claims 7-21 are objected to because of the following informalities:

Regarding claim 7, line 1, insert “a” before “leaf”. In line 10, change “is” to “are” following “of which” to account for the plural “wheels”. In line 13, replace the term “It” before “comprises” with the specific name of the part the pronoun refers to.

Regarding claims 10, 13 and 14, the term “door” in line 4 of each claim appears to have been inadvertently assigned reference numeral “11”. This is inconsistent with the rest of the claims where the “door” is assigned reference numeral “1”.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 7-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 7, line 7, the term “widthwise” is confusing”. Structurally, it is unclear how the carriage moves across the width of the guide. It appears the carriage would translate lengthwise in the guide.

Regarding claims 12, 18, 19, 20 and 21, it is unclear whether the hinge and door are being claimed as a combination or a subcombination.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Catlett et al., US-3,605,339 in view of Vater, US-4,457,046.

Catlett discloses the invention as claimed, including a door (1), a leaf (8, 9), a frame (b), two connecting rods (20, 21), a carriage (90), a guide (91) and a support structure (13) solidly joined to the frame (b). As seen in Figure 4, the height can be adjusted by adjusting the bolt (22) or including washers. Catlett does not mention a carriage with multiple wheels oriented on two perpendicular axes. Vater teaches a carriage for supporting a door, including multiple wheels (31) with a horizontal axis of rotation and a rolling member (44) that pivots on the same axis (13) as the rotational axis of the carriage (10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the hinge and door of Catlett to include a carriage with multiple wheels and a rolling member, as taught by Vater, to avoid jamming the carriage on the guide surface and to improve the operation of the sliding door (col 3, lns 50-58).

***Conclusion***

Art Unit: 3677

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

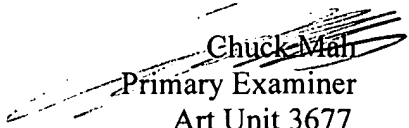
Regarding the Information Disclosure Statement, the foreign references were not considered by the examiner because a copy of each foreign document must be provided by the applicant within the application. Please provide a copy of each foreign reference within the reply to this Office Action for consideration.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Vogelbacker whose telephone number is (571) 272-1648. The examiner can normally be reached on 8:00 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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